IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23445 of 2007(N)

PETITIONER:

SHAJU E.CHACKOCHAN, EDAKKUZHIYIL
PUTHENPURAYIL HOUSE, PAZHOOR P.O., PERUVA.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

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1. THE REGIONAL TRANSPORT OFFICER,
MOOVATTUPUZHA.

2. SANTHOSHKUMAR, S/O.P.R.B.NAIR,
NARAYANEEYAM, NATTASSERY,
PERUMBAIKKAD, KOTTAYAM.

3. M.K.FASALUDHEEN, S/O.MOHAMMED KASIM,
PANAYIL PUTHEN VEETTIL, UDAVOOR VILLAGE,
CHIRAYINKIL TALUK, THIRUVANANTHAPURAM.

R1 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 23445 OF 2007 - N

Dated this the 1st day of August, 2007

J U D G M E N T

The petitioner has been served with a demand notice (Ext.P3) for payment of motor vehicle tax in respect of contract carriage bearing Registration No.KL-7 AJ 8827. The contention of the petitioner is that he has parted with possession of the vehicle as it has been sold to the third respondent. However, the petitioner confines his reliefs for a direction to the first respondent to permit him to pay the amount in instalments.

2. After hearing both sides, I direct the first respondent to permit the petitioner to pay the amount demanded as per Ext.P3 in six equal monthly instalments starting from 16th August, 2007. Every subsequent instalment shall be paid on the first working day after the 15th of every subsequent month. If the petitioner pays the instalment amounts without default in time, further proceedings pursuant to Ext.P3 demand notice shall be kept in abeyance. However, if the petitioner commits

default in payment of any one instalment, it would be open to the first respondent to continue the proceedings as per Ext.P3, without having to issue any fresh notice or proceedings in that regard.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007